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8 Attorneys for Plaintiffs,
9 INTERSCOPE RECORDS; WARNER
10 BROS. RECORDS INC.; UMG
11 RECORDINGS, INC.; and SONY BMG
12 MUSIC ENTERTAINMENT

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 INTERSCOPE RECORDS, a California general
17 partnership; WARNER BROS. RECORDS
18 INC., a Delaware corporation; UMG
19 RECORDINGS, INC., a Delaware corporation;
20 and SONY BMG MUSIC ENTERTAINMENT,
21 a Delaware general partnership,

22 Plaintiffs,

23 v.

24 CHRISTOPHER RODRIGUEZ,

25 Defendant.

CASE NO. 3:08-cv-01652-MMC

**NOTICE OF WITHDRAWAL OF PROOF
OF SERVICE OF SUMMONS AND
COMPLAINT (DOCKET NO. 19)**

AND ORDER THEREON

Plaintiffs INTERSCOPE RECORDS, *et al.*, hereby withdraw their Proof of Service of Summons and Complaint, filed on September 29, 2008, and entered as Docket No. 19. Plaintiffs have since learned that the wrong individual was served, based on Plaintiffs' reliance on the address information initially provided by Defendant's Internet Service Provider ("ISP") in response to Plaintiffs' subpoena. The ISP (here, California State University, Monterey Bay – "CSUMB") identified the correct individual as the Defendant, but provided an erroneous address for Defendant.

Plaintiffs discovered the error when the individual served contacted Plaintiffs counsel on September 29, 2008 and informed Plaintiffs that he was not the Defendant in this matter. Upon receiving this information, Plaintiffs contacted CSUMB and confirmed that the wrong address was provided in the subpoena response, and that as a result, Plaintiffs had served the wrong individual. Accordingly, Plaintiffs wish to withdraw the Proof of Service filed on September 29, 2008, and entered as Docket No. 19. Plaintiffs respectfully request that the Court reinstate the December 23, 2008 deadline to effectuate service.

Dated: October 15, 2008

HOLME ROBERTS & OWEN LLP

By /s/ Dawniell Zavala
 DAWNIELL ZAVALA
 Attorney for Plaintiffs
 INTERSCOPE RECORDS; WARNER BROS.
 RECORDS INC.; UMG RECORDINGS, INC.;
 and SONY BMG MUSIC ENTERTAINMENT

IT IS SO ORDERED; specifically, the December 23, 2008 deadline to effectuate service on defendant is hereby REINSTATED.

Dated: October 16, 2008


 United States District Judge